



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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G.239

PART II - MISCELLANEOUS NOTIFICATIONSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

REVENUE DEPARTMENT
(Vigilance. IV)

CHARGES FRAMED AGAINST TO Sri R. VISWESWARA RAO, EXECUTIVE OFFICER OF GANAPESWARAM AND LINGAREDDIPALEM GROUP TEMPLES - CERTAIN GRAVE IRREGULARITIES COMMITTED AND MISAPPROPRIATED THE TEMPLE FUNDS.

- Ref : 1. Rc.No. B2/21239/95, dt: 9-10-96 from the Deputy Commissioner, Endowments Department, Kakinada.
2. This Office Rc.No. A1/724/96, Dt: 19-10-96.
 3. Rc.No.V2/53088/96, Dt: 23-11-96 from the Commissioner, Endts., Dept., Hyderabad.
 4. D.O.Lr.No. V2/53988/96, dt: 9-2-97 from the Addl. Commissioner, Endts., Dept., Hyderabad.
 5. This Office Rc.No.A1/724/96, Dt: 16-5-97.
 6. Rc.No.V2/53988/96, Dt: 21-6-97 from the Commissioner, Endts., Dept., Hyderabad.
 7. Rc.No. B4/21331/95, Dt: 25-6-97 from the Deputy Commissioner, Endts., Kakinada.
 8. Representation Dated 7-9-97 from Sri R. Visweswara Rao, Delinquent Executive Officer.
 9. D.O.Lr.No.V2/53988/96, Dt: 3-8-97 from the Additional Commissioner, Endts., Hyderabad.
 10. This Office Rc .No. A1/724/96, Dt: 23-8-97.
 11. Representation Dated 20-10-97 from Sri R. Visweswara Rao, delinquent Executive Officer.
 12. Representation Dt:1-1-98 from Sri R. Visweswara Rao, delinquent Executive Officer.
 13. This Office Rc .No.A1/724/96, Dt : 27-2-98.

14. This Office Rc.No.A1/724/96, Dt: 28-2-98.
15. This Office Rc.No.A1/724/96, Dt: 21-3-98.
16. Rc.No.B4/21331/95, E.O's Estt., Dt: 30-3-98 from the Dy. Commissioner, Endowments Dept., Kakinada.
17. Representation Dated 23-3-98 from Sri R.Visweswara Rao, delinquent Executive Officer.
18. This Office D.O.Lr.No. A1/724/96, Dt: 17-4-98 and subsequent reminders Dt: 6-5-98.
19. Rc.No.V2/53988/98, Dt: 28-4-98 from the Commissioner, Endowments Dept., Hyderabad.
20. This Office Rc .No. A1/724/96, Dt: 25-5-98.
21. Representation Dated Nil from Sri R.Visweswara Rao, delinquent Executive Officer.
22. This Office Rc.No. A1/724/96, Dt: 29-5-98.
23. This Office D.O.Lr.No.A1/724/96, Dt: 18-6-98 and subsequent reminder Dt: 14-8-98.
24. N.Dis.No.B2/7871/98, Dt: 5-11-98 from the Asst.Commissioner, Endts., Dept., Rajahmundry (Commr's Rc.No. V2/53988/96, Dt: 20-6-98)

:o:

Memo No.54803/Vig.IV (1)/2007-7,- I invite your kind attention to the reference's 1st cited. I submit that as many as 98 charges were framed against Sri R.Visweswara Rao, Executive Officer of Ganapeswaram and Lingareddipalem group temples in Krishna District on the grave irregularities committed and Misappropriated temple funds by him during his tennure in the reference 1st cited by the Deputy Commissioner, Endowments Department, Kakinada. In view of the gravity and seriousness of the charges and misappropriation of temple funds Sri R.Visweswara Rao, Executive Officer of above group temples were kept under suspension with immediate effect by the Deputy Commissioner, Endowments Department, Kakinada in the reference 1st cited. I was appointed as "Enquiry Officer in the same reference by the Deputy Commissioner, Endowments Department, Kakinada to enquire into the charges framed against the said delinquent Executive Officer after getting the explanation of the above individual and by follow prescribed procedure and submit my enquiry report in the matter.

The action of the Deputy Commissioner, Endowments Department, Kakinada in having framed the charges and suspended Sri R. Visweswara Rao, Executive Officer of group temples of Ganapeswaram and Lingareddipalem in Krishna District has been ratified by the Commissioner, Endowments Department, Hyderabad in the reference 3rd cited. In pursuance of the orders of the Deputy Commissioner, Endowments Department, Kakinada in the reference 1st cited. I have issued notices on 13-12-96, 23-12-97, 21-1-97 and 15-3-97 to the delinquent Executive Officer to submit his explanation on the charges framed against him. A copy of notice Dt: 13-12-96 was also sent to him through the Asst. Commissioner, Endowments Department, Vijayawada but it could not be served by him to the delinquent Executive Officer due to non-availing of his address. The Commissioner, Endowments Department, Hyderabad in the references 4th cited was pleased to instruct me to submit enquiry report in this aspect. To avoid further loss of time I have posted this matter for enquiry on 1-4-97, 21-4-97, 30-4-97, 14-5-97, 19-6-97, 11-8-97, 25-9-97, 15-10-97, 23-10-97, 14-11-97, 23-12-97 and 31-12-97 and issued notices accordingly to the present Executive Officer's of Lingareddipalem and Ganapeswaram group temples and also delinquent Executive Officer with a request to attend this office on the said dates alongwith connected records and accounts. The delinquent Executive Officer was specifically requested to attend the enquiry on the said dates alongwith his explanation and other material if any available with him. This Office notice Dt: 1-4-97 which was sent to him through

the Inspector, Endowments Department, Machilipatnam was returned to this office. The notices sent by this office on 14-7-97, 18-8-97, 23-8-97 and 29-10-97 through registered post with acknowledgement to the delinquent Executive Officer have also been returned to this office with a Endorsement as “not available in the town” or “door locked” and also some other reasons. He has not taken any notice sent by this office through either Ordinary post or Registered post. In the reference 4th cited the Commissioner, Endowments Department, Hyderabad has requested me to complete the enquiry and submit my enquiry report in the matter. As the present Executive Officer’s of said group temples have not produced connected record and accounts pertaining to the period of delinquent Executive Officer eventhough several notices were issued to them I have addressed the Deputy Commissioner, Endowments Department, Kakinada in the reference 5th cited under a copy marked to the Commissioner, Endowments Department, Hyderabad requesting him to issue necessary directions to all the concerned Executive Officer’s in this aspect to produce the accounts and records pertaining to the period of delinquent Executive Officer for enquiry. Accordingly, the Commissioner, Endowments Department, Hyderabad in the reference 6th cited was pleased to instruct the concerned Executive Officer’s to produce the records and accounts etc., before me for enquiry and also direct me to obtain the records from the Executive Officer’s and proceed to enquiry as per rules and submit the enquiry report in duplicate. The Deputy Commissioner, Endowments Department, Kakinada in the reference 7th cited has furnished the address of the delinquent Executive Officer. He has also instructed Sri V. Ramulu, present Executive Officer of above group temples to produce the connected records and accounts etc., before me for enquiry. Another notice has also been issued on 14-7-97 to the delinquent Executive Officer to the address given by the Deputy Commissioner, Kakinada in the reference 7th cited and also present Executive Officer with a request to attend the enquiry alongwith connected records and accounts etc., There upon Sri R. Visweswara Rao, delinquent Executive Officer has put in a representation on 7-9-97 to me informing that his doctor has advised him to take bed rest upto 20-9-97 and hence he promised that he will attend my office on any day for enquiry after 25-9-97. Basing on his request the enquiry has been posted to 25-9-97 and informed the fact to him along with all the concerned Executive Officer’s and requested them to attend on the said date for enquiry. But, the delinquent Executive Officer has not attended this office on that day for enquiry.

In the reference 9th cited the Commissioner, Endowments Department, Hyderabad has requested me to enquire and submit my report before 25-8-97 without fail. The position of the matter has been informed to the Commissioner, Endowments Department, and Deputy Commissioner, Endowments Department, Kakinada in the reference 10th cited. Again the matter has been posted to 15-10-97 and notices have been issued to the delinquent Executive Officer and others accordingly on 27-9-97 to attend the enquiry on 15-10-97 without fail. The delinquent Executive Officer has given a Telegram to me on 15-10-97 praying me to adjourn the enquiry to some other date as he fell in sick. Subsequently, the delinquent Executive Officer has submitted a representation in the reference 11th cited under a copy marked to the Commissioner, Endowments Department, Hyderabad informing that he was seriously injured and he was got bed ridden on 14-10-97 and so his doctor has advised him to take complete rest and take treatment for a period of 15 days. Hence, he requested me to postpone the enquiry and communicate the date of enquiry for the address given therein.

In view of the request of the delinquent Executive Officer the matter has been posted to 14-11-97 and informed the same to all the concerned including delinquent Executive Officer. But, he did not attend the enquiry. Again another notice was also issued to him on 19-11-97

with a request to attend the enquiry on 10-12-97 without fail. Once again he has submitted a representation to me under a copy marked to the Commissioner, Endowments Department, Hyderabad and Deputy Commissioner, Endowments Department, Kakinada on 1-1-98 informing that while he is working as Executive Officer to the subject temple he has proceeded on leave from August, 95 to look after his family affairs and properties and he is still on leave and residing at Hyderabad. He has not so far received any charge sheet from the authorities and as such he is not in a position to know about the charges to defend his case by submitting his explanation with necessary witness etc., He further stated therein that any action taken to finalise or conclude the enquiry in the above matter without his explanation and without following the relevant C.C.A. rules, is not Justifiable and can not sustain law and hence he requested me to furnish a copy of charge memo. As requested by the delinquent EO in his representation Dated 1-1-98 I have furnished a copy of charge memo in the reference 14th cited through R.P.A.D. with a request to submit his explanation to me on the charges framed against him within three days from the date of receipt of this memo. He was also specifically informed therein that his explanation is not received in time further action will be taken against him on the material available in this office. The delinquent Executive Officer in the reference 17th cited has addressed the Commissioner, under a copy marked to me and Deputy Commissioner, Kakinada and Asst. Commissioner, Vijayawada and informed that the charge memo sent by me has been received by him on 7-2-98 and he has put in a representation to the Commissioner on 9-3-98 requesting to grant permission to verify the records for preparation of his explanation. He has also informed that a copy of charge memo supplied by the Deputy Commissioner, Endowments Department, Kakinada has also been received by him 16-3-98 and therefore requested the Commissioner, Endowments Department, Hyderabad to grant permission to verify the connected records. Thereupon I have addressed to the Commissioner, Endowments Department, Hyderabad in the reference 18th cited requesting to see that necessary orders on the representation of delinquent Executive Officer Dated 23-3-98 at early date so as to enable me to submit my enquiry report in this aspect.

Basing on the request of the delinquent Executive Officer the Commissioner, Endowments Department, Hyderabad was pleased to permit him to verify the connected records in the presence of the present Executive Officer and instruct him to send his explanation on the charges framed against him to me within 15 days from the date of receipt of these orders in the reference 19th cited. The present Executive Officer was also permitted to produce the connected records before the delinquent Executive Officer I was also requested therein to obtain the explanation of the delinquent Executive Officer within 20 days and enquire into the charges framed against him as per procedure and send my enquiry report in duplicate unfailingly. I was also informed specifically that if the delinquent Executive Officer fails to send his explanation, proceed with the enquiry as per the records and complete the enquiry and send the enquiry report in duplicate before 30-5-98 without fail. In pursuance of the orders of the Commissioner in the reference 19th cited I have issued a notice to the delinquent Executive Officer on 25-5-98 with directions to attend this office alongwith his explanation immediately for enquiry. The above notice has been received by the delinquent Executive Officer on 29-5-98. As against the orders of the Commissioner issued in the reference 19th cited he has put in another representation to the Commissioner, Endowments Department, Hyderabad request to grant further time to submit his explanation in view of the reasons explained therein. In the reference 22nd and 23rd cited I have addressed the Commissioner to issue early orders on the representation of delinquent Executive Officer cited so as to enable me to proceed enquiry and submit my enquiry report in this regard. Finally the Commissioner in the reference 24th cited has instructed me to proceed with the enquiry basing on the connected records if the delinquent Executive Officer fails to send his explanation and send enquiry report in duplicate before 15-7-98 as the request of the delinquent Executive Officer deserves no consideration. Keeping in view of the orders of the Commissioner,

Endowments Department, Hyderabad I have completed the enquiry on the charges framed against delinquent Executive Officer after perusal of connected records, accounts pertaining to the concerned institutions produced by the present Executive Officer.

In this connection I submit that Sri R. Visweswara Rao delinquent Executive Officer has not submitted his explanation so far on the charges framed against him even though several notices were issued to him. I have waited for his explanation for more than two years. Number of notices were also issued to him with directions to attend my office along with his explanation for enquiry. Even though he was served charge memo and notices and he was permitted for perusal of records he could not submit his explanation in the matter. Basing on his request I have postponed the date of enquiry number of times also. He has wantonly delayed the matter. To avoid further loss of time and in pursuance of orders of the Commissioner, Endowments Department, Hyderabad issued in the reference's cited I have enquired each charge in detail with reference to the Records, Accounts etc., produced by the present Executive Officer's of the concerned institutions. Though he was given reasonable opportunity he did not avail the same for submitting his explanation and attend in this office for enquiry to defend his case by showing records if any available with him for dropping of charges framed against him.

The following is the result of enquiry.

1. Charges proved : 1, 2, 5, 6, 8 to 43, 45 to 52, 54 to 60, 62 to 64, 67 to 85, 89 to 98 (86 charges proved)
2. Charges partly proved : 3, 4, 7, 44, 53, 65, 66, 87, 88 (9 Charges only)
3. Charges not proved and dropped : 61, 86 and 88 (3 only)

A sum of Rs.6,80,702.50 ps (principle amount of Rs.5,25,849-65 ps + Interest Rs.1,54,852-85 ps upto 31-12-98 at the rate of 12 % (Rupees Six lakhs eighty thousand seven hundred two and ps. fifty only) has to be recovered from the personal funds of delinquent Executive Officer, Sri R. Visweswara Rao covered by proved and partly proved charges as shown in the statement enclosed herewith.

In this connection I submit that all most all charges framed against delinquent Executive Officer (except charge No. 61, 86 and 88) are proved and partly proved and seen from the above proved charges it is observed that the delinquent Executive Officer has failed to account for the collections received from the tenants, advanced thousands of rupees from one institution to another institution without prior approval of the competent authority and incurred excess expenditure in thousands of rupees every year during his tenure over and above the budget sanction and failed to keep the vouchers in support of the expenditure made by him properly and incurred wasteful expenditure in thousands of rupees and failed to collect the makthas from the tenants, failed to lease out the lands on public auction as per rules in force after expiry of their lease period and allowed sitting tenants years together without negotiating for enhancement of reasonable makthas and he acted as he likes and thus caused loss of lakhs of rupees to the institution which are under his charge. He has also failed to obey the instructions of the superior officers and neglect his legitimate duties entrusted to him as Executive Officer and acted at his whims and fancies and acted against the interest of the institution and caused heavy loss of amount to the temples which are under his control during his tenure. Further he has not maintained proper records and proper

vouchers etc., He has not shown any interest for development of temples and also improvement of income during his period. He has wantonly dragged on the matter time to time without submitting his explanation and without attending the enquiry on the charges framed against him. He has not followed the rules and regulations which are in force and also circular instructions of the higher authorities for running of day to day administration of the institution which are under his charge smoothly. This clearly shows that the delinquent Executive Officer is guilty of misappropriation of temple funds. The lapses found above are serious and he may be warranted deterrent punishment.

In view of the gravity of charges held proved and in view of the financial loss caused to the temples and he is guilty of misappropriation of temple funds and in the fitness of things it is better to impose appropriate punishment as per rules in force besides recovery of misappropriated amount of Rs. 06,80,702-50 ps (Rupees Six lakhs eighty thousand seven hundred two and ps. fifty only) alongwith interest thereon upto 31-12-98 for Rs. 1,54,852-85 ps (Rupees one lakh fifty four thousand eight hundred fifty two and ps. eighty five only) and also recovered the interest on principle amount till the date of final payment of said amount from the personal funds of the delinquent Executive Officer, Sri R.Visweswara Rao.

A statement showing the details of charge and findings of the enquiry officer and enquiry notes in triplicate are herewith submitted for favour of kind perusal and ready reference.

27-09-2017.

K.S.S. PRAKASA RAO,
Enquiry Officer,
Assistant Commissioner & Executive Officer,
Sri P.M.K. Choultry, Rajahmundry, E.G.Dt.

MANMOHAN SINGH,
Special Chief Secretary to Government.

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